

REMARKS

Status of Application

Claims 1-5, 7-9 and 11 were pending in this application. In the Office communication dated September 18, 2009, claims 1-5, 7-9 and 11 were rejected.

By this amendment, claims 1, 2, 7 and 11 are pending as currently amended. Claims 3-5, 8 and 9 were previously presented. No new matter is introduced by these amendments, which are fully supported by the specification.

Applicant requests reconsideration and allowance of claims 1-5, 7-9 and 11.

Applicant reserves the right to prosecute any withdrawn, cancelled, or non-elected claims and/or subject matter in separate applications.

35 U.S.C. § 102 Rejections

Applicant notes with appreciation that all rejections for anticipation have been withdrawn.

35 U.S.C. § 103 Rejections

Claims 1-5, 7-9 and 11 were rejected as unpatentable over Rogers et al. (US 6,091,841) in view of Yanagita et al. (US 2004-0151358). In brief, the Examiner stated that Rogers et al. fails to teach the part-images being a marker image and a body part image. (See Office Action at page 5, line 1.) Examiner further stated that Yanagita et al. teaches a display formatting section 17 and an image size adjusting section 17a (paragraph 253) as well as main images and sub images (Fig 20). Thus, the Examiner concluded that Rogers et al. and Yanagita et al. could have been combined.

Applicant respectfully submits that Rogers et al. and Yanagita et al. do not disclose or suggest all limitations of Applicant's claims 1-5, 7-9 and 11, as amended. Rogers et al. fails to teach the part-images being a marker image and a body part image, and therefore does not teach arranging these images. Yanagita et al. discloses throughout "data compression methods" (paragraph 0169) and "gradation processing" and "average gradient" (paragraph 0213) for processing images. Specifically, in the display formatting section 17, the "density resolution" and "gradation characteristic" are used for outputting an image (paragraph 0228). Further, in Fig 20, Yanagita et al. discloses an apparently full size main image, with an overlay of another image.

To the contrary, Applicant's invention includes "the part-images are arranged in the display image in a spatially separate manner, wherein the part-images which show the marker image and the body part image are pushed together as close as possible so that they lie immediately next to one another, wherein the size of the display image is such that the part of the display image that is free of the part-images is smaller than the corresponding part of the X-ray image, and the part-images have the same resolution and same number of pixels as in the X-ray image," as claimed in claim 1 (emphasis provided). The part-images of Applicant's invention advantageously show "the respective objects with the same resolution and with the same number of pixels as in the X-ray image." (See Applicant's specification at page 2, lines 28-29.) Yet, Applicant's display image is smaller, and is not a full size main image as shown in Yanagita et al.

In conclusion, Applicant's arrangement of claims 1-5, 7-9 and 11 is not disclosed or suggested by Rogers et al. and Yanagita et al., taken separately or in combination, and is therefore patentable over those references.

Thus, these rejections can be withdrawn.

CONCLUSION

Applicant respectfully submits that claims 1-5, 7-9 and 11 as amended distinguish patentably from the references of record and are in condition for allowance. Applicant requests reconsideration and allowance of claims 1-5, 7-9 and 11.

Should any questions remain, Examiner is invited to telephone Applicant's representative at the number provided.

Respectfully submitted,

Richard R. Eckman
Reg. No. 42,504
Attorney for Applicant

Respectfully submitted,

/Charles E. Kosinski/
Charles E. KOSINSKI
Reg. No. 39,254
Attorney for Applicant
Phone: (724) 387-3746
e-mail: charles.kosinski@philips.com

Mail all correspondence to:

Charles E. Kosinski, Esq.
Philips Intellectual Property & Standards
PO Box 3001
Briarcliff Manor, NY 10510-8001, USA
Phone: (724) 387-3746
e-mail: charles.kosinski@philips.com

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